

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, AUGUST 12, 19 75

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers
Tuesday evening August 12 A.D., 19 75, in Regular
Session. President James S. Stier in the chair, and
Charles W. Westerman Clerk, at the desk, present the following
members viz:
Burns ✓, Hinga ✓, Kraus ✓
Moses ✓, Nuckols A, Donald Schmidt ✓
Vivian Schmidt ✓, Stier ✓, Talarico ✓
Absent /
Councilmen _____,
_____, _____,

The invocation was given by _____

Received report from the City Controller for the month of _____,
19 _____. Motion made and carried that report be made a matter of record and
placed on file.

The minutes of the last regular July 8 + 22, 19 75,
special July 1, 19 75,
Session having been delivered to the Council, were, on motion, approved and
published.



THE CITY OF FORT WAYNE

office of the mayor

July 23, 1975

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, July 23, 1975, I have approved the following ordinances passed by the Common Council at the regular meeting of July 22, 1975.

(Bill No. A-75-07-02)
APPROPRIATION ORDINANCE NO. A-28-75

AN ORDINANCE appropriating funds and approving the budget for the Public Safety Garage for the remainder of the Year 1975

(Bill No. A-75-07-02)
APPROPRIATION ORDINANCE NO. A-29-75

AN ORDINANCE transferring certain funds in the 1975 Budget of the Humane Commission

(Bill No. A-75-07-04)
APPROPRIATION ORDINANCE NO. A-30-75

AN ORDINANCE transferring funds from the Park General Fund to various accounts

(Bill No. A-75-07-05)
APPROPRIATION ORDINANCE NO. A-31-75

AN ORDINANCE transferring funds in the 1975 Budget of the Traffic Engineering Department

(Bill No. A-75-07-06)
APPROPRIATION ORDINANCE NO. A-32-75

AN ORDINANCE appropriating and transferring certain funds within the 1975 budget of various City Departments

DATE 8/14/75 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

AN EQUAL OPPORTUNITY EMPLOYER

(Bill No. A-75-07-07)
APPROPRIATION ORDINANCE NO. A-33-75

AN ORDINANCE transferring certain funds in the 1975 Budget of the Controller

(Bill No. A-75-07-08)
APPROPRIATION ORDINANCE NO. A-34-75

AN ORDINANCE transferring funds from the Aviation Fund to various accounts in the 1975 Aviation Budget

(Bill No. A-75-07-09)
APPROPRIATION ORDINANCE NO. A-35-75

AN ORDINANCE transferring certain funds in the 1975 Budget of the Parking Administration

(Bill No. A-75-07-10)
APPROPRIATION ORDINANCE NO. A-36-75

AN ORDINANCE transferring certain funds in the General Fund of the City of Fort Wayne

(Bill No. S-75-07-11)
SPECIAL ORDINANCE NO. S-137-75

AN ORDINANCE authorizing the issuance and sale of \$500,000 Economic Development Revenue Bond (Hoosier Terminal Company Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by Hoosier Terminal Company, authorizing the execution of the Loan Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues, and authorizing the sale of said bond

(Bill No. Z-75-03-15)
ZONING MAP ORDINANCE NO. Z-08-75

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-9

(Bill No. G-75-07-14)
GENERAL ORDINANCE NO. G-22-75

AN ORDINANCE amending the vacation of certain alleys in the City of Fort Wayne, Indiana

(Bill No. S-75-07-15)
SPECIAL ORDINANCE NO. S-139-75

AN ORDINANCE approving a contract with HIPSKIND ASPHALT CORPORATION for Resolution 5691-1975, Fine Arts Plaza

(Bill No. S-75-07-16)
SPECIAL ORDINANCE NO. S-140-75

AN ORDINANCE approving contracts with HIPSKIND ASPHALT CORPORATION for street improvement in connection with Resolution 5687-1975

(Bill No. S-75-07-17)
SPECIAL ORDINANCE NO. S-141-75

AN ORDINANCE approving Change Order No. 1 in connection with Contract H, Resolution 5648-75

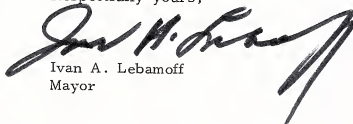
(Bill No. S-75-07-18)
SPECIAL ORDINANCE NO. S-142-75

AN ORDINANCE approving Change Order No. 1 in connection with Contract A, Resolution 5648-75

(Bill No. S-75-07-19)
SPECIAL ORDINANCE NO. S-143-75

AN ORDINANCE approving Change Order No. 1 in connection with Railroad Crossing Resolution No. 5681-1975

Respectfully yours,



Ivan A. Lebamoff
Mayor



COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

July 30, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-06-06

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of July, 1975.

Charles N. Hall
Secretary

MADE A MATTER OF RECORD
DATE 8/2/75 CHARLES W. WESTERMAN, CITY CLERK





COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

July 30, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 28, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-75-06-06
2. Plan Commission Recommendation: DO PASS


This ordinance received a DO PASS recommendation for the following reason:

The City Plan Commission supports the efforts of the SAVE THE EMBASSY FOUNDATION, therefore, we recommend passage of this amendment to further protect this site by means of declaring it a Historical District.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning


James Geraghty
Director

JG:pr



R E S O L U T I O N

WHEREAS, the City Plan Commission, at their regular meeting held May 27, 1975, proposed to prepare an ordinance for the establishment of the Embassy Theatre and the Indiana Hotel as a Historical District; and,

WHEREAS, this action was taken by the City Plan Commission following consultation with the Mayor's Commission on Preservation and Restoration and the Embassy Theatre Foundation, Inc.; and,

WHEREAS, an ordinance was introduced on June 10, 1975 and assigned Bill No. Z-75-06-06;

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 21, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reason that the City Plan Commission supports the efforts of the Save The Embassy Foundation, therefore, we recommend passage of this amendment to further protect this site by means of declaring it a historical district.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 28, 1975.



Charles N. Hall
Secretary

Certified and signed this
30th day of July, 1975

BILL NO. Z-75-06-06

ZONING MAP ORDINANCE NO. Z-67-75

AN ORDINANCE fixing the location of a certain
Historical District and amending the City of
Fort Wayne Zoning Map accordingly

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. Pursuant to Section 34 of Article IX of Chapter 36
of the Municipal Code of the City of Fort Wayne, Indiana 1946, as enacted by
General Ordinance No. G-39-65 passed on September 10, 1965 and approved by
the Mayor on September 13, 1965, the following area is hereby designated as a
Historical District, as established by Section 9 and 34 of said Chapter 36 as amended
accordingly:

Embassy Theatre and Indiana Hotel, more
particularly described as follows:

Lots 411, 412 and 413 in Samuel Hanna's
Addition west part

SECTION 2. This Ordinance shall be in full force and effect from and
after its passage, approval by the Mayor and legal publication thereof.


Councilman





THE CITY OF FORT WAYNE

department of public safety

August 8, 1975

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

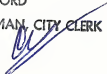
Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolutions Numbered 31-75/E, 32-75/E, 33-75/E and 34-75/D.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo
Director of Public Safety

MADE A MATTER OF RECORD
DATE 8/12/75 CHARLES W. WESTERMAN, CITY CLERK



RETURN CERTIFICATE

(Regulatory Resolution No. 31-75 /E,) 32-75/E, 33-75/E and 34-75/D

I hereby certify that I did this 8th day of
AUGUST, 19 75 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
Regulatory Resolution No. 31-75/E, ^{32-75/E, 33-75/E, & 34-75/D} of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Secretary of said Board, in accordance with the provisions
of Section 20 (a) of Chapter 31, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

Richard M. Drake

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO. 31-75/E

(Adopted AUGUST 8, 1975)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to No Parking, Speed Limit, One Way Street & Traffic Signal

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated JULY 16 & 28, 1975, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective August 8,

1975, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING

1. Old Trail Road - both sides - from L.Huntington Rd. to McArthur Dr.
2. L. Huntington Rd. - both sides - from Winchester Rd. to Premiere Dr.

B. SPEED LIMIT 50 MPH

1. Baer Rd. - from Thurber Ave. to Baer Field Thruway

C. SPEED LIMIT 55 MPH (DELETE:)

1. Baer Rd. - from - Thurber Avenue to Baer Field Thruway

D. NO PARKING

1. Westbrook Dr. - west side from State Blvd to Clinton Street
2. Eastbrook Drive - east side from Clinton St. to State Blvd.

E. ONE WAY STREET

1. Westbrook Drive - south bound from State Blvd. to Clinton Street
2. Eastbrook Drive - north bound from Clinton Street to State Blvd.
3. Elizabeth St. - east bound from Clinton St. to Spy Run Ave.

F. TRAFFIC SIGNAL

1. Westbrook Drive at Clinton Street

REGULATORY RESOLUTION NO. 32-75/E

(Adopted AUGUST 8 , 19 75.)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to renew and extend Regulatory Resolution

24-75/E

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated July 30 , 1975 , submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective AUGUST 8 ,

19 75 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. STOP INTERSECTION

1. Winter Street - stop - for Ventura Lane

B. SPEED LIMIT 35 MPH

1. Anthony Blvd. - from Petit Avenue to Paulding Road

C. DELETE: SPEED LIMIT 40 MPH

1 Anthony Blvd. - from Petit Avenue to Paulding Road

C. NO PARKING

1. Hessen Cassel Road - east side - from McKinnie Ave. to Rudisill Blvd.

REGULATORY RESOLUTION NO. 33-75 /E

(Adopted AUGUST 8 , 19 75)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to renew and extend Regulatory Resolution 23-75/E

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated July 16 , 19 75 , submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective August 8 ,

19 75 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. STOP INTERSECTION

1. Webster St. - stop - for Wildwood Avenue

B. NO PARKING

1. Elzey Street - west side - from 200 ft south of Lower Huntington Road to 300 feet south thereof.

REGULATORY RESOLUTION NO. 34-75 /D

(Adopted AUGUST 8, 1975)

WHEREAS, Section 20^a (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961. authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 62 of said chapter as so amended delegates to this Board authority to designate preferential intersection

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 16, 1975, 19 __, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 62 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby

ordered, effective August 8, 1975, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. PREFERENTIAL INTERSECTION

1. Dodge Avenue - preferential - at Hubertus Avenue
2. Monroe Street- preferential - at Senate Avenue

STATE OF INDIANA

INDIANA STATE HIGHWAY COMMISSION

100 North Senate Avenue
Indianapolis, Indiana 46204



INDIANAPOLIS

Room 1101, State Office Building
317-633-5816
July 30, 1975

City Clerk
City Hall
Fort Wayne, Indiana 46802

Re: US 27 & Westbrook Drive
City of Fort Wayne
Allen County
Temporary Signal Installation

Dear Sir:

Attached is a copy of a resolution temporarily installing a traffic signal at the intersection of US 27 and Westbrook Drive, City of Fort Wayne, Allen County.

Very truly yours,

Clinton A. Venable

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor I. Lebamoff
Clerk of Circuit Court
State Police
Fort Wayne District

CAV/md

MADE A MATTER OF RECORD
DATE 8/12/75 CHARLES W. WESTERMAN, CITY CLERK

CL

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Traffic signals shall be temporarily installed at the intersection of US 27 (Clinton St.) and Westbrook Drive, City of Fort Wayne, Allen County.

US 27 (Clinton St.) shall be preferential and in the event of need for flashing operation of the signals, they shall flash amber to US 27 (Clinton St.) traffic and red to Westbrook Drive traffic.

NOTE: This temporary traffic signal and Official Action shall be removed and rescinded at the discretion of the District Engineer.

NOTE: This action amends and/or supersedes previous official action at the above named location (s).

ADOPTED THIS 29 DAY OF July 19 75

Approved: Clinton A. Venable Indiana State Highway Commission
Chief, Division of Traffic

Approved: P. J. Eskew BY: Reg. J. Marsh
Chief of Highway Operations Executive Director

Approved: J. K. Hall ATTEST:
Chief Highway Engineer

J. K. Hall
Secretary to the Commission